

THOMAS BERRY.

[To accompany Bill H. R. No. 450.]

MARCH 23, 1860.

Mr. FENTON, from the Committee on Invalid Pensions, made the following

REPORT.

*The Committee on Invalid Pensions, to whom were referred the petition and accompanying papers of Thomas Berry, report:*

That they have had the same under consideration, and are disposed to adopt the report and recommend the passage of the bill introduced by the Committee on Invalid Pensions at the 3d session of the 34th Congress. The report of that committee is herewith appended:

*The Committee on Invalid Pensions, to whom was referred the petition of Thomas Berry, have had the same under consideration, and ask leave to report:*

That, from the proof in the case, it appears that the petitioner enlisted in December, 1812, into the military service of the United States, under Captain Robert Snell; that he served in said company until the last of March, 1813, when he marched to Burlington, Vermont, and joined the volunteer regiment of infantry commanded by Colonel Denny McCobb, and was there transferred to Captain Joshua Danforth's company.

Dr. James Bates, in his deposition put in the case, says: "That in the campaign of 1813 I was acting surgeon's mate in the regiment of volunteer infantry commanded by Colonel Denny McCobb; that I was then well acquainted with Thomas Berry, a private in Captain Joshua Danforth's company; that at Burlington, Vermont, he was attacked with the measles in the month of May of that year; that owing to exposure the disease so affected his lungs that he remained sick six weeks; that by this sickness his constitution received great injury."

Dr. Bates and Dr. Turner, the petitioner's family physician, both agree in their statements that the petitioner, as late as 1854, was affected with a disease of the right lung, which they both state, in

their opinion, was caused by said sickness. Other testimony proves, to the full satisfaction of your committee, that the petitioner, prior to said sickness, was an able-bodied, healthy man, and that in consequence of said sickness he has never since been well, and never can recover so as to be a well man hereafter.

Dr. Bates says, further, that the petitioner, although only sixty-two years old (1854,) is one-half disabled from doing the labor of a healthy man of that age.

A large amount of other testimony corroborates this statement. We believe this a meritorious case, and recommend the passage of the accompanying bill.

MARCH 23, 1860.

# REPORT

Mr. Faxon, from the Committee on Invalid Pensions, reads the following report:

The Committee on Invalid Pensions, to whom was referred the petition of Thomas Berry, and accompanying papers of Thomas Berry, report:

That it appears from the papers on this case that the petitioner is now residing in the State of Vermont, and that he was formerly a member of the 23rd Vermont Infantry, and was discharged from the service on the 23rd of March, 1862, on account of sickness.

The Committee on Invalid Pensions, to whom was referred the petition of Thomas Berry, have had the same under consideration, and we disapprove of the report of the Committee on Invalid Pensions at the 33rd session of the 34th Congress. The report of that committee is herewith appended:

The Committee on Invalid Pensions, to whom was referred the petition of Thomas Berry, have had the same under consideration, and we disapprove of the report of the Committee on Invalid Pensions at the 33rd session of the 34th Congress. The report of that committee is herewith appended:

That, from the facts in the case, it appears that the petitioner enlisted in December, 1861, into the military service of the United States, under Captain Robert Smith; that he served in said company until the last of March, 1862, when he was discharged to Burlington, Vermont, and joined the volunteer regiment of infantry commanded by Colonel Henry McCobb, and was there transferred to Captain John Danforth's company.

Dr. James Bates, in his deposition put in the case, says: "That in the campaign of 1861 I was acting surgeon's mate in the regiment of volunteer infantry commanded by Colonel Henry McCobb; that I was then well acquainted with Thomas Berry, a private in Captain John Danforth's company; that at Burlington, Vermont, he was attached with the measles in the month of May of that year; that owing to exposure the disease so affected his lungs that he remained sick six weeks; that by this sickness his constitution received great injury."

Dr. Bates and Dr. Turner, the petitioner's family physicians, both agree in their statements that the petitioner, as late as 1861, was afflicted with a disease of the lungs, which they both state in